

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	DATE FILED: May 5, 2009
BRIAN PRUITT	:	VIOLATIONS:
	:	18 U.S.C. § 1951 (interference with
	:	interstate commerce by robbery - 8
	:	counts)
	:	18 U.S.C. § 924(c)(1)(A)(ii) (using and
	:	carrying a firearm during a crime of
	:	violence - 8 counts)
		Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. Sam's Meat Market, located at 1524 Wadsworth Avenue in Philadelphia, Pennsylvania, is a retail business that sells consumer goods and which is engaged in interstate commerce.
2. On or about November 23, 2008, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant PRUITT unlawfully took and obtained money from the person or in the presence of another, and against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, that is, by pointing a firearm at, and otherwise threatening the owners of Sam's Meat Market.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 23, 2008, in the Eastern District of Pennsylvania,
defendant

BRIAN PRUITT

knowingly used and carried a firearm, that is, a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, interference with commerce by robbery as charged in this indictment, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. W&W Hardware, located at 6323 Stenton Avenue, in Philadelphia, Pennsylvania, is a retail business that sells consumer goods and which is engaged in interstate commerce.

2. On or about December 17, 2008, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant PRUITT unlawfully took and obtained money from the person or in the presence of another, and against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, that is, by pointing a firearm at, and otherwise threatening the owners of W&W Hardware.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 17, 2008, in the Eastern District of Pennsylvania,
defendant

BRIAN PRUITT

knowingly used and carried a firearm, that is, a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, interference with commerce by robbery charged in this indictment, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Golden Perfumes Store, located at 5734 Old York Road, in Philadelphia, Pennsylvania, is a retail business that sells consumer goods and which is engaged in interstate commerce.

2. On or about December 18, 2008, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant PRUITT unlawfully took and obtained money from the person or in the presence of another, and against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, that is, by pointing a firearm at, and otherwise threatening an employee of Golden Perfumes Store.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 18, 2008, in the Eastern District of Pennsylvania,
defendant

BRIAN PRUITT

knowingly used and carried a firearm, that is, a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, interference with commerce by robbery charged in this indictment, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Logan Hardware, located at 4927 N. Broad Street, in Philadelphia, Pennsylvania, is a retail business that sells consumer goods and which is engaged in interstate commerce.

2. On or about December 23, 2008, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant PRUITT unlawfully took and obtained money from the person or in the presence of another, and against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, that is, by pointing a firearm at, and otherwise threatening the owner of Logan Hardware.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 23, 2008, in the Eastern District of Pennsylvania,
defendant

BRIAN PRUITT

knowingly used and carried a firearm, that is, a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, interference with commerce by robbery charged in this indictment, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Fern Rock Hardware, located at 5957 N. 5th Street, in Philadelphia, Pennsylvania, is a retail business that sells consumer goods and which is engaged in interstate commerce.

2. On or about December 26, 2008, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant PRUITT unlawfully took and obtained money from the person or in the presence of another, and against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, that is, by pointing a firearm at, and otherwise threatening the owners and employee of Fern Rock Hardware.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 26, 2008, in the Eastern District of Pennsylvania,
defendant

BRIAN PRUITT

knowingly used and carried a firearm, that is, a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, interference with commerce by robbery charged in this indictment, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Denim USA, located at 5806 N. 5th Street, in Philadelphia, Pennsylvania, is a retail business that sells consumer goods and which is engaged in interstate commerce.
2. On or about December 29, 2008, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant PRUITT unlawfully took and obtained money from the person or in the presence of another, and against her will by means of actual and threatened force, violence, and fear of injury, immediate and future, that is, by pointing a firearm at, and otherwise threatening the owner of Denim USA.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 29, 2008, in the Eastern District of Pennsylvania,
defendant

BRIAN PRUITT

knowingly used and carried a firearm, that is, a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, interference with commerce by robbery charged in this Indictment, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Mine Fashion and Variety, located at 5800 Old York Road, in Philadelphia, Pennsylvania, is a retail business that sells consumer goods and which is engaged in interstate commerce.

2. On or about January 2, 2009, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant PRUITT unlawfully took and obtained money from the person or in the presence of another, and against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, that is, by pointing a firearm at and otherwise threatening the employee of Mine Fashion and Variety.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 2, 2009, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

knowingly used and carried a firearm, that is, a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, interference with commerce by robbery charged in this Indictment, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. New Ace Sneakers and Shoes, located at 56 West Cheltenham Avenue in Philadelphia, Pennsylvania, is a retail business that sells consumer goods and which is engaged in interstate commerce.

2. On or about January 5, 2009, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

unlawfully obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant PRUITT unlawfully took and obtained merchandise from the person or in the presence of another, and against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, that is, by pointing a firearm at and otherwise threatening the employee of New Ace Sneakers and Shoes.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 5, 2009, in the Eastern District of Pennsylvania, defendant

BRIAN PRUITT

knowingly used and carried a firearm, that is, a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is, interference with commerce by robbery charged in this indictment, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

NOTICE OF FORFEITURE

1. As a result of the violations of Title 18, United States Code, Section 924(c), set forth in this indictment, defendant

BRIAN PRUITT

shall forfeit to the United States of America the firearm and ammunition involved in the commission of such offenses, including, but not limited to:

- a. a Smith & Wesson .38 revolver, serial number J286936, loaded with 1 live round of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

LAURIE MAGID
United States Attorney